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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/857,021	08/28/2001	Bjorn Magne Dybedokken	032292-026	7657

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ERICSSON INC.  
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PLANO, TX 75024

EXAMINER

CONTEE, JOY KIMBERLY

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 06/04/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/857,021

Applicant(s)

DYBEDOKKEN ET AL.

Examiner

Joy K Contee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \*   c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3,5</u> . | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION***Response to Arguments*

1. Applicant's arguments filed March 12, 2004 have been fully considered but they are not persuasive. Applicant argues that Subhankar (U.S. Patent No. 6,112, 097) fails to disclose deriving PARIs from an initially allocated SARI or secondary access rights identity as recited in claim 1. This is not true. Subhankar clearly teaches that the radio fixed part identity (RFPI) comprises different fields such as a primary access right identity or PARI field and a radio fixed part number or RPN. Examiner has interpreted Subhankar's RFPI to read on the claimed SARI. Applicant's disclosure on page 7 describes the SARI as being unique to the network, and is distributed to all the fixed parts in the network and is transmitted on all radio fixed parts. Thus, Subhankar's RFPI anticipates such, wherein the RFPI comprises a one-bit E field which indicates if there are any secondary access rights available and the identities are broadcast from the radio fixed parts to activated portables parts located in the respective coverage area of the radio fixed part or network (see Subhankar, col. 3, lines 9-27).

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351 (a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Subhankar, U.S. Patent No. 6,112,097.

Regarding claim 1, Subhankar discloses an arrangement in large digital enhanced cordless telecommunication (DECT) systems or similar systems, including several fixed parts (FP) connected to the same local network (LNW), each of said FP associated with one or more radio fixed parts (RFP), comprising:

means for assigning secondary access rights identity (SARI) (i.e., in terms of

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inherently the first FP is connected if in communication with portable parts) (col. 3, lines 9-17),

means within the LNW for automatically assigning a unique primary access rights identity (PART) to each FP by deriving said PART from a combination of an equipment installer's code (EIC) (i.e., reads on radio fixed part identity (RFPI) included in said SARI and one or more generated bits (see Fig. 1, col. 2, lines 62-65 and col. 7, lines 5-8),

means within each FP (i.e., reads on central control fixed part (CCFP)) for managing the identities of associated radio fixed parts/base stations (RFP) each to have a radio fixed part number (RPN) that is unique with the FP (col. 3, line 57 to col. 4, line 29).

Regarding claim 2, Subhankar discloses an arrangement as claimed in claim 1, further comprising means within said LNW for selecting new access rights identity when a new FP is connected (i.e., reads on the inherent fact that the system is updated as subscribers roam) (col. 1, lines 50 - 65).

Regarding claim 3, Subhankar discloses an arrangement as claimed in claim 1, further comprising means within the FP for inherently selecting a new base station/radio fixed part identity when a new base station/radio fixed part is connected (col. 3, line 56 col. 4, line 12) .

Regarding claim 4, Subhankar discloses an arrangement as claimed in claim 1, wherein said SARI (i.e., reads on portion of SARI including RPNs) is provided to the network operator by an equipment installer (i.e., reads on service provider), and wherein

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said equipment installer or network operator manually (i.e., via a command) enters said SARI into the network (col. 7, lines 5-9).

Regarding claim 5, Subhankar discloses an arrangement as claimed in claim 1, further comprising means for distributing said SARI to all the FPs in the network and for transmitting to all RFPs (i.e., reads on portable parts) (col. 3, lines 12-18).

Regarding claim 7, Subhankar discloses an arrangement as claimed in claim 1, wherein the RPN for each RFP is handled by the individual FPs and is automatically given to the RFPs when they are connected (i.e., activated portable parts) (col. 3, lines 12-18).

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Subhankar, in view of Sipila et al. (Sipila), U.S. Patent No. 6,278,880.

Regarding claim 6, Subhankar discloses an arrangement as claimed in claim 1, but fails to disclose means for recalculating and distributing the handover length indicator (HLI) to all FPs in the LNW when a new FP is added or removed .

In a similar field of endeavor, Sipila discloses means for recalculating and distributing the handover length indicator (HLI) (i.e., reads on RLP and/or the data flow

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using the bit X) to all FPs in the LNW when a new FP is added or removed. (col. 3, lines 3-19 and col. )

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Subhankar to include an indication of the number of frames it will take to handover for the purpose of allowing for external handover in DECT/GSM system as is taught by Sipila. 6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Subhankar, in view of Apgar et al. (Apgar), U.S. Patent No. 6,256,319.

Regarding claim 8, Subhankar discloses an arrangement as claimed in claim 1, but fails to disclose wherein the arrangement is implemented as a "plug-and-play" concept.

In a similar field of endeavor, Apgar discloses a "plug-and-play" telephone system (col. 1, line 64 to col. 2, line 11).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Subhankar to include a "plug-and-play" concept for the purpose of allowing distributed resources based on connectivity to a computer system or the like as is known in the art as shown by Apgar.

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*Conclusion*

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K Contee whose telephone number is 703-308 0149. The examiner can normally be reached on 5:30 a.m. to 2:00 p.m..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 703-305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306

0377.

Joy Contee

May 30, 2004

  
CHARLES APPIAH  
PRIMARY EXAMINER